

IN RE: )  
 )  
 AUGUST McCONNELL, )  
 )  
 Debtor ) CASE NO. B-10-81790 C13D  
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NOW COMES Taylor Estates Homeowners Association, Inc. ("Taylor Estates HOA"), a Creditor in the above-referenced case, by and through counsel, and pursuant to 11 U.S.C. §§ 363(e), 506, 1322, 1324, and 1325, hereby objects to confirmation of Debtor's proposed Chapter 13 Plan and timely objects to the amount and treatment of its' claim as set forth in the Debtor's Notice of Proposed Plan and moves to dismiss this entire action. In support of this Objection, Taylor Estates HOA respectfully shows unto the Court as follows:

- Case 10-81790 Doc 16 Filed 12/28/10 Page 1 of 3

Deeds) following a valid foreclosure of a lien placed against the Property to secure past due homeowners' assessments.

4. Debtor's Proposed Plan provides that the Trustee pay Taylor Estates HOA the sum of \$100.00 per month as a regular and ongoing payment beginning in January 2011 with the arrearage payment "to be determined."

5. Since the Debtor no longer owns the Property, Taylor Estates HOA is uncertain as to how to classify the arrearage claim with the Court and is hereby objecting to the Plan due to incorrect and incomplete information contained in the Plan with regard to the debt owing and owed to Taylor Estates HOA by the Debtor.

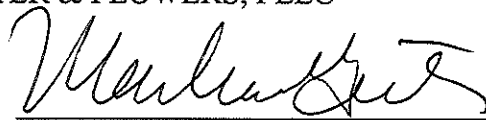
WHEREFORE, Taylor Estates HOA respectfully prays that the Court:

1. Deny confirmation of Debtor's proposed Chapter 13 Plan;
2. Direct the Debtor to file an amended Chapter 13 Plan such that the ongoing amounts are correct and such that the arrearage payments are complete and certain; and/or
3. Dismiss the entire bankruptcy; and
4. Grant such other and further relief as the Court deems just and proper.

This the 28 day of December, 2010.

GUNTER & FLOWERS, PLLC

By:



MARKHAM B. GUNTER  
NC State Bar #21011  
Attorneys for Creditor  
617 W. Jones Street  
Raleigh, NC 27603  
(919)839-5550 phone  
(919)856-9645 fax

CERTIFICATE OF SERVICE

I, the undersigned, of Gunter & Flowers, PLLC, hereby certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age;

That on this day, I served a copy of the foregoing Objection to Confirmation of Debtor's Chapter 13 Plan by depositing the same in the United States mail, first class, postage prepaid in an envelope addressed as follows on (or unless otherwise indicated below):

August McConnell  
21 Sharpstone Lane  
Durham, NC 27703

John T. Orcutt (via CM/ECF)  
Attorney for Debtor  
6616-203 Six Forks Rd.  
Raleigh, NC 27615

Richard M. Hutson II (via CM/ECF)  
Chapter 13 Trustee  
P.O. Box 3613  
Durham, NC 27702

I certify under penalty of perjury that the foregoing is true and correct.

Dated: December 28, 2010.

GUNTER & FLOWERS, PLLC

By:



MARKHAM B. GUNTER  
NC State Bar #21011  
Attorneys for Creditor  
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Raleigh, NC 27603  
(919)839-5550 phone  
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